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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/817,634	04/01/2004	Pawin Suthapong	MS1-1936US	2831
22801	7590	07/22/2008		
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201				
EXAMINER				
SEYE, ABDOU K				
ART UNIT		PAPER NUMBER		
2194				
MAIL DATE		DELIVERY MODE		
07/22/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/817,634

Applicant(s)

SUTHAPONG, PAWIN

Examiner

Abdou Karim Seye

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/CI/CDC)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-34 are currently pending in this application.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 29-34 are non statutory because the claimed computer product is directed to a signal directly, by claiming a computer-readable media; and the specification recites evidence where the computer computer-readable media is defined as a "wave" (such as a carrier wave). Specially, it is stated in the specification (see specification paragraph 68, lines 1--11) for example that the computer-readable media is a combination of any of the above including communication media; signal and carrier wave. As such, it is believed that the computer product of claims 29-34 is reasonably interpreted as signal.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented

and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-34, are rejected under 35 U.S.C. 103 (a) as being unpatentable over Beyda et al (U.S 6260160) in view of Wittel, JR. et al. (US 2003/0195951).

5. As per Claim 1, 15 and 29 , Beyda teaches the invention substantially as claimed including a method, system and product comprising:

collecting information regarding an installed device on a computing device (abstract; col. 4, lines 11-30; collecting peripheral devices information where the device installed is a printer in FIG. 2:16); and

presenting the information, wherein the installed device is not attached to the computing device (FIG. 2, col. 4, lines 11-45; presenting/relaying information of the peripheral to a remote site; col. 7, lines 19-45).

6. However, Beyda does not explicitly teach that the information is presented without booting the computing device into a special mode.

7. Whereas, in the same field of endeavor Wittel discloses a dynamic/ automatic installation/ support system and method of client system devices (FIG. 6 :606; paragraph 26).

8. It would be obvious to a person of ordinary skill in the art at the time the invention was made to modify Beyda's invention with Wittel's invention to provide automatic installation of computing device without booting the computing device in a special mode. One would be motivated to provide automatic installation of computing devices in order to facilitate installation which can be cumbersome to client users (Wittel's paragraph 28).

9. As to claims 2, 16 and 30, Beyda teaches, wherein the information presented comprises all data available to an operating system running on the computing device regarding the installed device (col.5, lines 20-25).

10. As to claims 3, 17 and 31, Beyda teaches, wherein the special mode is a troubleshooting mode (col. 6, lines 40-45).

11. As to claims 4, 18 and 32, Beyda teaches, modifying information regarding the installed device in response to a modification request (col. 7, lines 55-65).

12. As to claims 5, 19 and 33, Beyda teaches, modifying information regarding the installed device in response to a modification request, wherein the modification request is one or more items selected from a group comprising change value and delete value (col. 8, lines 1-15; "installation/deinstallation of software"). This claimed element of Beyda's reference meets the claimed limitation of the claim.

13. As to claims 6, 20 and 34, Beyda teaches, modifying information regarding the installed device in response to a modification request from a user (col. 7, lines 40-55; technician transmitting request).

14. As to claims 7 and 21, Beyda teaches, wherein the information is presented in response to a user selecting the installed device (col. 7, lines 55-60).

15. As to claims 12 and 26, they are rejected for the same reasons as claims 6, 20 and 34 above.

16. As to claims 13 and 27, Beyda teaches, wherein the information regarding the installed device is provided to a remote support person through one or more communication channels selected from a group comprising a public telephone network, Internet, and an intranet (col. 4, lines 40-46).

17. As to claims 14 and 28, Beyda teaches, wherein the method quickly indicates whether a driver installation is incomplete (col. 7, lines 65-67 and col 8, lines 1; "testing of software"). This claimed element of Beyda's reference meets the claimed limitation of the claim.

18. As to claims 8-11 and 22-25, However, Beyda does not explicitly teach, wherein the information is dynamically updated in response to a change event; wherein the information is dynamically updated in response to a hot-plugging event; wherein the information regarding the installed device is one or more items selected from a group comprising device hardware ID, device status, device ID, device port type, device driver version, device driver provider, device driver INF location, device driver section, device drivers' file list, device drivers services' status, and device drivers' service information; wherein the information is presented to a local user

19 . Whereas, in the same field of endeavor Wittel discloses a method and system for dynamically detecting, matching information and installing drivers for dynamic update of libraries and operating system coupled with hot-plug-in, where the information regarding the device include (INF) location (FIG. 6; paragraph 54-61).

20. It would be obvious to a person of ordinary skill in the art at the time the invention was made to modify Beyda's invention with Wittel's invention to provide dynamic updates of devices installation. One would be motivated provide dynamic updates of client installed devices in order to facilitate the recognition and identification of hardware device that is plugged into a system, so as to facilitate automatic installation and configuration of the device within the operating system (Wittel's; paragraph 26).

Conclusion

21. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.

Vaughan (US 7185336) discloses a system and method for selecting and installing a device driver.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exr. Abdou Seye whose telephone number is (571) 270-1062. The examiner can normally be reached Monday through Friday from 7:30 a.m. to 4:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, contact the examiner's supervisor, An Meng at (571) 272-3756. The fax phone number for formal or official faxes to Technology Center 3600 is (571) 273-8300. Draft or informal faxes, which will not be entered in the application, may be submitted directly to the examiner at (571) 273-6722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group Receptionist whose telephone number is (571) 272-3600.

/Meng-Ai An/

Supervisory Patent Examiner, Art Unit 2195